UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21536
15 August 1990

ORIGINAL: ENGLISH

INTERIM REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 661 (1990)

1. At its 2933rd meeting, on 6 August 1990, the Security Council, acting under Chapter VII of the Charter of the United Nations, adopted resolution 661 (1990), which reads as follows:

"The Security Council,

"Reaffirming its resolution 660 (1990) of 2 August 1990,

"Deeply concerned that that resolution has not been implemented and that the invasion by Iraq of Kuwait continues with further loss of human life and material destruction,

"Determined to bring the invasion and occupation of Kuwait by Iraq to an end and to restore the sovereignty, independence and territorial integrity of Kuwait,

"Noting that the legitimate Government of Kuwait has expressed its readiness to comply with resolution 660 (1990),

"Mindful of its responsibilities under the Charter of the United Nations for the maintenance of international peace and security,

"Affirming the inherent right of individual or collective self-defence, in response to the armed attack by Iraq against Kuwait, in accordance with Article 51 of the Charter,

"Acting under Chapter VII of the Charter of the United Nations,

"1. Determines that Iraq so far has failed to comply with paragraph 2 of resolution 660 (1990) and has usurped the authority of the legitimate Government of Kuwait;

"2. Decides, as a consequence, to take the following measures to secure compliance of Iraq with paragraph 2 of resolution 660 (1990) and to restore the authority of the legitimate Government of Kuwait;

best copy available

"3. Decides that all States shall prevent:

"(a) The import into their territories of all commodities and products originating in Iraq or Kuwait exported therefrom after the date of the present resolution;

"(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export or trans-shipment of any commodities or products from Iraq or Kuwait; and any dealings by their nationals or their flag vessels or in their territories in any commodities or products originating in Iraq or Kuwait and exported therefrom after the date of the present resolution, including in particular any transfer of funds to Iraq or Kuwait for the purposes of such activities or dealings;

"(c) The sale or supply by their nationals or from their territories or using their flag vessels of any commodities or products, including weapons or any other military equipment, whether or not originating in their territories but not including supplies intended strictly for medical purposes, and, in humanitarian circumstances, foodstuffs, to any person or body in Iraq or Kuwait or to any person or body for the purposes of any business carried on in or operated from Iraq or Kuwait, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply of such commodities or products;

"4. Decides that all States shall not make available to the Government of Iraq or to any commercial, industrial or public utility undertaking in Iraq or Kuwait, any funds or any other financial or economic resources and shall prevent their nationals and any persons within their territories from removing from their territories or otherwise making available to that Government or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within Iraq or Kuwait, except payments exclusively for strictly medical or humanitarian purposes and, in humanitarian circumstances, foodstuffs;

"5. Calls upon all States, including States non-members of the United Nations, to act strictly in accordance with the provisions of the present resolution notwithstanding any contract entered into or licence granted before the date of the present resolution;

"6. Decides to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

"(a) To examine the reports on the progress of the implementation of the present resolution which will be submitted by the Secretary-General;

"(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the provisions laid down in the present resolution;

"7. Calls upon all States to co-operate fully with the Committee in the fulfilment of its task, including supplying such information as may be sought by the Committee in pursuance of the present resolution;

"8. Requests the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for the purpose;

"9. Decides that, notwithstanding paragraphs 4 through 8 above, nothing in the present resolution shall prohibit assistance to the legitimate Government of Kuwait, and calls upon all States:

"(a) To take appropriate measures to protect assets of the legitimate Government of Kuwait and its agencies;

"(b) Not to recognize any régime set up by the occupying Power;

"10. Requests the Secretary-General to report to the Council on the progress of the implementation of the present resolution, the first report to be submitted within thirty days;

"11. Decides to keep this item on its agenda and to continue its efforts to put an early end to the invasion by Iraq."

2. By a telegram dated 6 August 1990, the Secretary-General transmitted the text of the resolution to the Ministers for Foreign Affairs of all States. 1/

3. In a note dated 8 August 1990 addressed to the Ministers for Foreign Affairs of all States (see annex I to the present report), the Secretary-General drew attention to paragraphs 6, 7 and 10 of resolution 661 (1990) and, in the light of his reporting responsibility under paragraph 10 of the resolution, indicated that he would appreciate receiving as early as possible, but no later than 24 August 1990, information on the measures taken by their Governments in accordance with the provisions of the resolution.

4. Also on 8 August 1990, a letter was addressed on behalf of the Secretary-General to the heads of the specialized agencies and the International Atomic Energy Agency transmitting the text of resolution 661 (1990).

5. The Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait held its 1st meeting on 9 August 1990 and elected Her Excellency Ms. Marjatta Rasi (Finland) Chairman and Canada and Colombia Vice-Chairmen.

6. The replies received from States as of 15 August 1990 in response to the note of the Secretary-General mentioned in paragraph 3 above have been circulated as documents of the Security Council and are listed in alphabetical order in annex II to the present report, with an indication of the symbols of the documents in which the texts are reproduced in full.

Notes

1/ In accordance with the established practice of the Secretariat, the term "all States" refers to States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency or parties to the Statute of the International Court of Justice.

READEX FICHE

Annex I

Note dated 8 August 1990 from the Secretary-General to the Ministers for Foreign Affairs of all States

The Secretary-General of the United Nations presents his compliments to the Minister for Foreign Affairs of ... and has the honour to refer to resolution 661 (1990), which was adopted by the Security Council at its 2933rd meeting, on 6 August 1990, in connection with the item entitled "The situation between Iraq and Kuwait", the text of which was transmitted to His/Her Excellency's Government by telegram on the same date.

The Secretary-General wishes, in particular, to draw attention to paragraphs 6, 7 and 10 of resolution 661 (1990), which read as follows:

"The Security Council,

...

"Acting under Chapter VII of the Charter of the United Nations,

...

"6. Decides to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

"(a) To examine the reports on the progress of the implementation of the present resolution which will be submitted by the Secretary-General;

"(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the provisions laid down in the present resolution;

"7. Calls upon all States to co-operate fully with the Committee in the fulfilment of its task, including supplying such information as may be sought by the Committee in pursuance of the present resolution;

...

"10. Requests the Secretary-General to report to the Council on the progress of the implementation of the present resolution, the first report to be submitted within thirty days".

In the light of his reporting responsibility under paragraph 10, the Secretary-General would appreciate receiving, as early as possible but no later than 24 August 1990, information on the measures taken by His/Her Excellency's Government in accordance with the provisions of the resolution.

Annex II

List of States that have replied to the note dated 8 August 1990 from the Secretary-General

	Symbol of the document in which the text of the reply is reproduced
Argentina	S/21475 and S/21530
Australia	S/21520
Austria	S/21523
Brazil	S/21476, S/21497 and S/21522
Bulgaria	S/21477
Canada	S/21519
Chile	S/21467 and S/21516
Côte d'Ivoire	S/21512
Cyprus	S/21495
Czech and Slovak Federal Republic	S/21488
Finland	S/21511
France	S/21493
German Democratic Republic	S/21517
Germany, Federal Republic of	S/21524
Hungary	S/21515
Italy*	S/21444 and S/21502
Japan	S/21449, S/21461 and S/21535
Malaysia	S/21527
Netherlands	S/21532
New Zealand	S/21482
Norway	S/21534
Panama	S/21508
Republic of Korea	S/21487
Romania	S/21507
Singapore	S/21510
Solomon Islands	S/21483

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* On behalf of the States members of the European Community.

	Symbol of the document in which the text of the reply is reproduced
Spain	S/21526
Sweden	S/21518
Turkey	S/21514
United Kingdom of Great Britain and Northern Ireland	S/21531
United States of America	S/21525
Uruguay	S/21464

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Security Council

Distr.
GENERAL

S/21536/Corr.1
16 August 1990

ORIGINAL: ENGLISH

INTERIM REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 661 (1990)

Corrigendum

Page 3

Paragraph 6 should read

6. The replies received from States as of 15 August 1990 in response to the telegram and the note of the Secretary-General mentioned in paragraphs 2 and 3 above have been circulated as documents of the Security Council and are listed in alphabetical order in annex II to the present report, with an indication of the symbols of the documents in which the texts are reproduced in full.

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21537
16 August 1990

ORIGINAL: ENGLISH

LETTER DATED 16 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I. OF THE UNITED STATES MISSION TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In accordance with Article 51 of the Charter of the United Nations, I wish, on behalf of my Government, to report that military forces of the United States, at the request of the Government of Kuwait, have joined the Government of Kuwait in taking actions to intercept vessels seeking to engage in trade with Iraq or Kuwait in violation of the mandatory sanctions imposed in Security Council resolution 661 (1990). These actions are being taken by the United States in the exercise of the inherent right of individual and collective self-defense, recognized in Article 51 of the Charter. The application of this inherent right in response to the Iraqi armed attack on Kuwait has been affirmed in resolution 661 (1990).

The United States has joined the Government of Kuwait and other Governments in taking these actions to ensure that the trade sanctions designed to secure the compliance of Iraq with resolution 660 (1990) and to restore the legitimate Government of Kuwait, are effective. The military forces of the United States will use force only if necessary and then only in a manner proportionate to prevent vessels from violating such trade sanctions contained in resolution 661 (1990).

I would be grateful if you could arrange for this letter to be circulated as a document of the Security Council.

(Signed) Alexander F. WATSON
Deputy Permanent Representative
of the United States of America
to the United Nations
Chargé d'affaires a.i.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21538
16 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 16 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF NEW ZEALAND TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

The Chargé d'affaires a.i. of the Permanent Mission of New Zealand to the United Nations presents her compliments to the Secretary-General of the United Nations and has the honour to refer to the Note of 8 August from the Minister of Foreign Affairs and Trade of New Zealand to the Secretary-General in which the Government of New Zealand indicated that it was proceeding urgently with the implementation of Security Council resolution 661 (1990) imposing sanctions on Iraq and Kuwait.

The Chargé d'affaires is now able to advise of the following measures taken by the Government of New Zealand to give effect to the resolution:

(a) A customs ban was imposed on the export of all goods to Iraq and Kuwait. This ban took effect at midnight on 9 August.

(b) Customs regulations were enacted on 13 August to prohibit the importation of all goods exported by Iraq and Kuwait.

(c) Other measures were also taken to draw the terms of the resolution to the attention of relevant agencies in New Zealand and, through them, to the attention of traders and financial institutions. The Government of New Zealand is confident that trade has ceased between New Zealand and Iraq and Kuwait in terms of the resolution.

The Chargé d'affaires is further able to advise that regulations to implement the sanctions in New Zealand law in a comprehensive way are being put in place. These regulations will supersede the prohibitions on imports and exports that are already in place and will implement in detail the prohibitions contained in resolution 661. These regulations, which will be passed under the United Nations Act 1946, will be made available to the Committee as soon as they have been enacted. The New Zealand Permanant Mission may be in a position to report further on this matter prior to the first meeting of the Security Council Committee on the implementation of resolution 661.

The Chargé d'affaires also wishes to advise that the terms of resolution 661 have been drawn to the attention of the authorities of Cook Islands and Niue in order that appropriate measures may be taken to implement it in their territories.

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Security Council

Distr.
GENERAL

S/21539
16 August 1990
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 16 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF CHAD TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose the text of the message dated 16 August 1990 addressed to you by His Excellency Mr. Acheik Ibn Omar, Minister for Foreign Affairs of my country.

I should be grateful if you would inform the members of the Security Council of its content, distribute its text as a document of the Security Council and include it in the Chad-Libya dossier, which remains before the Council.

(Signed) Ahmat A. HAGGAR
Chargé d'affaires a.i.

Annex

Letter dated 16 August 1990 from the Minister for Foreign Affairs of Chad addressed to the Secretary-General

I have the honour to inform you that the sixth session of the Chad-Libya Joint Commission for the implementation of the Algiers framework agreement, held on 13 and 14 August 1990, concluded without reaching agreement on a political settlement of the Aozou Strip problem.

The time-limit of one year set in the Algiers Agreement for the search for a bilateral solution is thus soon to expire, and the only remaining alternative is recourse to the International Court of Justice. Accordingly, the Chadian side has submitted to the Libyan side, for the second time, a draft text (the Saisine compromise agreement), and has expressed its commitment, in accordance with the Algiers Agreement, to apply to the Court on 1 September 1990. Although the Libyan side continues to state its commitment to apply the Agreement in full, including recourse to the International Court of Justice within the prescribed period, we have strong grounds for believing that Libya will engage in manoeuvres to complicate this peaceful solution. For several weeks now, Libya has been making very intensive preparations for military aggression against Chad from the Darfur region of the Sudan. Weapons, mercenaries of all nationalities, various types of vehicles and armour are being sent in by air and land on a massive scale, under the supervision of General Tadjani Adam Taher, member of the Sudanese Military Junta, and Colonel Massaoud Abdel Hafiz, the Libyan leader of the Islamic Legion. In addition, reinforcements both of troops and of matériel are taking place in the occupied part of Aozou, and airspace is regularly being violated.

In the event of aggression, Chad will defend itself by all means, and will exercise its right of hot pursuit. We once again request the Organization of African Unity, the United Nations and all fraternal countries to persuade Libya not to commit a new act of aggression and to stand by its commitment to a peaceful settlement of the Aozou Strip question.

UNITED
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Security Council

Distr.
GENERAL

S/21540
16 August 1990

ORIGINAL: ENGLISH

LETTER DATED 14 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF CYPRUS TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a statement of the government spokesman of the Republic of Cyprus, following the adoption of resolution 662 (1990) of the Security Council.

I should be grateful if this letter and its annex would be circulated as a document of the Security Council.

(Signed) Andreas MAVROMMATIS
Ambassador
Permanent Representative of
Cyprus to the United Nations

Annex

Statement by the Cyprus government spokesman
issued on 11 August 1990

The Government of the Republic of Cyprus once again expresses its deep concern over the situation in the Gulf and on the escalation of tension there, particularly after the unilateral declaration of the Government of Iraq on the annexation of Kuwait, which it considers contrary to the principles of international law and, therefore, devoid of any legality.

The Cyprus Government continues to support the restitution of the territorial integrity, independence and sovereignty of Kuwait and also continues to recognize its legitimate Government.

The Cyprus Government considers that the implementation of the provisions of the recent resolutions of the Security Council, which inter alia call for the immediate and unconditional withdrawal of the Iraqi troops from the territory of Kuwait, provides the most effective means for the speedy and peaceful settlement of the crisis and the avoidance of further escalation of tension in the area.

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General Assembly Security Council

Distr.
GENERAL

A/44/971
S/21541
16 August 1990
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-fourth session
Agenda item 34
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE
AND SECURITY AND PEACE INITIATIVES

SECURITY COUNCIL
Forty-fifth year

Note verbale dated 14 August 1990 from the Chargé d'affaires a.i. of the Permanent Mission of El Salvador to the United Nations addressed to the Secretary-General

The Chargé d'affaires a.i. of the Permanent Mission of El Salvador to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to transmit the annexed text of the "Agreement on Human Rights" signed in San José, Costa Rica, on 26 July between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN).

The Chargé d'affaires a.i. respectfully requests that this note and its annex should be circulated as an official document of the forty-fourth session of the General Assembly, under agenda item 34, and of the Security Council.

Annex

AGREEMENT ON HUMAN RIGHTS*

I. RESPECT FOR AND GUARANTEE OF HUMAN RIGHTS

The Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (hereinafter referred to as "the Parties"),

Bearing in mind that the legal system of El Salvador provides for the recognition of human rights and the duty of the State to respect and guarantee such rights;

Considering also that the State has assumed obligations of this nature under the many international conventions to which it is a party;

Bearing in mind that the Frente Farabundo Martí para la Liberación Nacional has the capacity and the will and assumes the commitment to respect the inherent attributes of the human person;

Reiterating the common purpose, expressed in the Geneva Agreement, to guarantee unrestricted respect for human rights in El Salvador;

Further reiterating their willingness, also expressed in the Geneva Agreement, to submit in this matter to verification by the United Nations;

On the understanding that for the purposes of the present political agreement, "human rights" shall mean those rights recognized by the Salvadorian legal system, including treaties to which El Salvador is a party, and by the declarations and principles on human rights and humanitarian law adopted by the United Nations and the Organization of American States;

Have concluded the following agreement in pursuance of the initial objective of the Geneva Agreement:

1. All necessary steps and measures shall be taken immediately to avoid any act or practice which constitutes an attempt upon the life, integrity, security or freedom of the individual. Similarly, all necessary steps and measures shall be taken to eliminate any practice involving enforced disappearances and abductions. Priority shall be given to the investigation of any cases of this kind which may arise and to the identification and punishment of the persons found guilty.

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* It is the understanding of the Parties that this Agreement does not exhaust the consideration of the item on human rights and that it is, accordingly, a partial agreement. With the exception of points that are immediately applicable, the Agreement is subject to the package of political agreements to be negotiated for the achievement of the initial objective envisaged in the Geneva Agreement.

2. The full guarantee of the freedom and the integrity of the person requires that certain immediate measures be taken in order to ensure the following:

(a) No one may be arrested for the lawful exercise of his political rights;

(b) An arrest may be made only if ordered by the competent authority in writing and in accordance with the law, and the arrest must be carried out by officers who are properly identified as such;

(c) Anyone arrested must be informed while the arrest is being made of the reasons for the arrest and must be apprised without delay of the charge or charges against him;

(d) No one shall be placed under arrest as a means of intimidation. In particular, arrests shall not be made at night, except in the case of individuals caught in flagrante delicto;

(e) No one in custody shall be held incommunicado. Any person who has been arrested shall have the right to be assisted without delay by legal counsel of his own choosing and the right to communicate freely and privately with such counsel;

(f) No one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.

3. In the course of the present negotiations, appropriate legal procedures and timetables shall be determined for the release of individuals who have been imprisoned for political reasons.

4. The fullest possible support shall be given to ensuring the effectiveness of the remedies of amparo and habeas corpus. To this end, the broadest possible publicity shall be given to this Agreement among the public at large and, in particular, among authorities or officers in charge of detention centres. Anyone who hampers the operation of these remedies or provides false information to the judicial authorities shall be punished.

5. The right of all persons to associate freely with others for ideological, religious, political, economic, labour, social, cultural, sporting or other purposes shall be fully guaranteed. Trade union freedom shall be fully respected.

6. Freedom of expression and of the press, the right of reply and the activities of the press shall be fully guaranteed.

7. Displaced persons and returnees shall be provided with the identity documents required by law and shall be guaranteed freedom of movement. They shall also be guaranteed the freedom to carry on their economic activities and to exercise their political and social rights within the framework of the country's institutions.

8. All persons shall be guaranteed freedom of movement in the areas involved in conflict, and the necessary steps shall be taken to provide the inhabitants of such areas with the identity documents required by law.

9. The Parties recognize the necessity of guaranteeing the effective enjoyment of labour rights. This subject will be considered under the agenda item on economic and social problems.

II. INTERNATIONAL VERIFICATION

10. In accordance with the provisions of the Geneva Agreement and the agenda for the negotiations which was adopted in Caracas, the Parties hereby agree to the terms of reference for the United Nations human rights verification mission (hereinafter referred to as "the Mission"), as set out below.

11. The Mission shall devote special attention to the observance of the rights to life, to the integrity and security of the person, to due process of law, to personal liberty, to freedom of expression and to freedom of association.

In this context, a special effort shall be made to clarify any situation which appears to reveal the systematic practice of human rights violations and, in such cases, to recommend appropriate measures for the elimination of the practice to the Party concerned. The foregoing shall be without prejudice to any powers granted to the Mission to consider individual cases.

12. A Director designated by the Secretary-General of the United Nations shall be in charge of the Mission. The Director shall work in close co-operation with existing human rights organizations and bodies in El Salvador. He shall also be assisted by expert advisers. In addition, the Mission shall include as many verification personnel as may be necessary.

13. The purpose of the Mission shall be to investigate the human rights situation in El Salvador as regards acts committed or situations existing as from the date of its establishment and to take any steps it deems appropriate to promote and defend such rights. Accordingly, it shall perform its functions with a view to promoting respect for human rights and their guarantee in El Salvador and helping to do away with those situations in which such respect and guarantees are not duly observed.

14. The Mission's mandate shall include the following powers:

(a) To verify the observance of human rights in El Salvador;

(b) To receive communications from any individual, group of individuals or body in El Salvador, containing reports of human rights violations;

(c) To visit any place or establishment freely and without prior notice;

(d) To hold its meetings freely anywhere in the national territory;

(e) To interview freely and privately any individual, group of individuals or members of bodies or institutions;

(f) To collect by any means it deems appropriate such information as it considers relevant;

(g) To make recommendations to the Parties on the basis of any conclusions it has reached with respect to cases or situations it may have been called upon to consider;

(h) To offer its support to the judicial authorities of El Salvador in order to help improve the judicial procedures for the protection of human rights and increase respect for the rules of due process of law;

(i) To consult the Attorney-General of the Republic;

(j) To plan and carry out an educational and informational campaign on human rights and on the functions of the Mission itself;

(k) To use the media to the extent useful for the fulfilment of its mandate;

(l) To report regularly to the Secretary-General of the United Nations and through him to the General Assembly.

15. The Parties undertake to give their full support to the Mission. To that end, they pledge:

(a) To grant the Mission whatever facilities it may require for the performance of its functions;

(b) To ensure the security of the members of the Mission and of such persons as may have provided it with information, testimony or evidence of any kind;

(c) To provide, as expeditiously as possible, whatever information may be required by the Mission;

(d) To give their earliest consideration to any recommendations made to them by the Mission;

(e) Not to hinder the fulfilment of the Mission's mandate.

16. Each of the Parties shall appoint a delegate to serve as liaison with the Mission.

17. Should the Mission receive communications referring to acts or situations which occurred prior to its establishment, it may transmit them, if it deems it appropriate, to the competent authorities.

18. The fact that a case or situation has been considered by the Mission shall not preclude the application thereto of international procedures for the promotion and protection of human rights.

19. Subject to any arrangements which must be made prior to its establishment, the Mission shall take up its duties as of the cessation of the armed conflict. The Mission shall be established initially for one year and may be renewed.

San José, 26 July 1990

For the Government of El Salvador:

(Signed) Oscar Alfredo SANTAMARIA
Colonel Juan A. MARTINEZ VARELA
Colonel Mauricio Ernesto VARGAS
Abelardo TORRES
David ESCOBAR GALINDO
Rafael Hernán CONTRERAS

For the Frente Farabundo Martí para la Liberación Nacional:

(Signed) Commander Schafik HANDAL
Commander Eduardo SANCHO
Ana Guadalupe MARTINEZ
Salvador SAMAYOA
Dagoberto GUTIERREZ
Marta VALLADARES
Roberto CAÑAS

(Signed) Alvaro de SOTO
Representative of the Secretary-General
of the United Nations

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Security Council

Distr.
GENERAL

S/21542
16 August 1990

ORIGINAL: ENGLISH

LETTER DATED 7 AUGUST 1990 FROM THE ACTING MINISTER FOR FOREIGN AFFAIRS OF CYPRUS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to acknowledge receipt of your telex message by which you communicated to my Government the text of resolution 661 (1990) adopted by the Security Council at its meeting on 6 August 1990.

I hereby wish to inform Your Excellency that the Government of the Republic of Cyprus supports the above resolution and will fully abide by its provisions.

All appropriate measures have been, are being or will be taken in order to ensure its full implementation. Cyprus, being itself a victim of foreign aggression, invasion and occupation has always supported and implemented, as a matter of principle, all binding United Nations Security Council resolutions. As you know the Council's resolutions regarding Cyprus remain unimplemented for more than sixteen years and I once more call for their implementation.

I also reiterate on this occasion that the Government of the Republic of Cyprus recognizes as the only legitimate Government of Kuwait the one headed by His Highness the Emir of Kuwait, Sheikh Jaber Al Ahmed Al Sabah.

(Signed) Chr. VENIAMIN
Acting Minister of Foreign Affairs

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Security Council

Distr.
GENERAL

S/21543
16 August 1990
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 16 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF LUXEMBOURG TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Luxembourg to the United Nations presents his compliments to the Secretary-General and, with reference to his letter No. SCPC/7/90(1) of 8 August 1990, has the honour to inform him of the following legal measures which Luxembourg has enacted under a grand-ducal regulation of 6 August 1990:

Residents of Luxembourg shall not undertake any repayment, assignment or transfer of assets held by them and owned, directly or indirectly, by the State of Kuwait or residents of Kuwait, or by the State of Iraq or residents of Iraq, without prior authorization from the Minister of the Treasury.

All imports originating in, and all exports to, Iraq or Kuwait shall be subject to licencing by the Minister for Foreign Affairs.

Any technical and scientific co-operation and any provision of services for the benefit of residents of Iraq or Kuwait shall be prohibited without prior authorization from the Minister for Foreign Affairs.

The above regulation entered into force on the date of its publication.

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GENERAL

S/21544
16 August 1990

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

The attached letter, dated 16 August 1990, from the Permanent Observer of the Republic of Korea to the United Nations, was addressed to the President of the Security Council. In accordance with the request contained in the letter, the text is being circulated as a document of the Security Council.

Annex

Letter dated 16 August 1990 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the President of the Security Council

I have the honour to refer to the letter dated 10 August 1990 by the North Korean Permanent Observer addressed to you, which has been circulated as a Security Council document (S/21491).

The allegation in that letter of military provocation by the Republic of Korea is entirely groundless and need not be dignified by a point-by-point rebuttal here. The United Nations is the place for dialogue, not propaganda. The world is changing. The cold war legacy should be removed. The peaceful resolution of disputes must be achieved through discussion, not threats and accusations.

I wish to emphasize the importance we attach to the forthcoming South-North Prime Ministers' Meeting. At present, it is the only channel of dialogue between South and North Korea to be resumed. When convened, this will be the highest-level meeting since the division of Korea 45 years ago.

The Republic of Korea places great emphasis on this meeting as an opportunity for a genuine dialogue between responsible authorities and is making a good-faith effort to ensure its success. Just yesterday, 15 August, President Roh Tae Woo expressed our willingness to discuss with the North a range of important issues including: the joint renunciation of the use of military force; the signing of a non-aggression pact; the replacement of the present armistice agreement with a peace treaty; the exchange of permanent representative offices between Seoul and Pyongyang; and the issue of arms control with the aim of eliminating threats of war on the Korean Peninsula.

My Government has unilaterally taken numerous conciliatory steps to create a favourable atmosphere for these talks, including the substantial reduction in scale of our routine annual self-defence exercises. Last July my President announced the opening of the entire region of South Korea, for five days around 15 August, to any North Korean resident for free visits as well as permission for any Korean citizen to visit North Korea without restrictions.

We earnestly hope that the scheduled high-level talks between the two Koreas will be held as agreed in order that ways to reduce tensions and build trust and confidence can be seriously discussed and pursued. We should spare no efforts in responding to the ardent aspirations of the 70 million Korean people as well as to the high hopes and expectations of the world community.

We urge North Korea to abandon unconstructive cold war tactics and instead to work with us jointly and in good faith in order to make the forthcoming high-level meeting a milestone in the relations between South and North Korea.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hong-choo HYUN
Ambassador

UNITED
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Security Council

Distr.
GENERAL

S/21545
16 August 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 16 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to Security Council resolution 661 (1990) of 6 August 1990 and on instructions from my Government, I should like to state as follows:

1. Kuwait considers the embargo measures set forth in the said resolution as a means for the achievement of the objectives of resolution 660 (1990) in its entirety.

2. While understanding the time considerations which require an element of deliberateness if the sanctions are to achieve the desired results, following Iraq's arbitrary decision to annex Kuwait, which was rejected by the Council in its resolution 662 (1990), Kuwait is nevertheless of the view that the time factor has become more pressing.

3. Kuwait proposes that the Council should accord particular attention to all of the openings that are used or that might be used by Iraq in its attempts to circumvent the embargo measures. It is essential that the Council should deal with all of the loopholes so that resolution 661 (1990) can be implemented in an effective manner.

4. While sympathizing with countries which might encounter economic difficulties in applying resolution 661 (1990), Kuwait nevertheless considers that the overriding long-term interest of restoring stability to the Gulf region for the benefit to all mankind will require sacrifices.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed A. ABULHASAN
Permanent Representative

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UNITED
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Security Council

Distr.
GENERAL

S/21546
16 August 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 16 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I should like to inform you of the following:

The claims repeatedly promulgated by Iraq in justification of its perfidious aggression against Kuwait and its total occupation of Kuwaiti national soil represent the pinnacle of contempt for international law and for that civilized behaviour that we had hoped would be the hallmark of the age in which we live. What we should like to convey here has the objective of showing the facts as they are without misrepresentation or falsification.

1. All have begun to note the erratic and disoriented character of the statements disseminated and reiterated by this régime through its various mouthpieces. For example, they said of their cowardly invasion of their Arab neighbour at the outset that it had taken place in response to a request from an alleged new government, one in which the occupying Power has been unable to find even a single Kuwaiti who will agree to participate. They then maintained that they would withdraw in order to allow the Kuwaitis to decide as they wished on the future of their country under the auspices of the alleged new government. Instead of withdrawing, however, they brought in more of their invading forces, which showed every intention of aggression against the Kingdom of Saudi Arabia across its borders with Kuwait. The aggressor Iraqi régime was unable to continue to conceal its long-standing malicious and scheming intentions against Kuwait and its peaceable Arab people, and it proceeded to proclaim what it believed to be the final chapter in its crime against the people of Kuwait and its sovereignty, independence and territorial integrity, namely the announcement that it was annexing the independent State of Kuwait for historical reasons that were false in both form and substance and that would be rejected by any rational person and any fair-minded student of history.

2. When the people of Kuwait elected Sheikh Sabah I as their first Amir in 1756, that is to say long before the emergence of modern Iraq as a State in the 1920s, it never occurred to those Kuwaitis or to others that a day would come when anyone in Iraq, which was at that time subject to direct Turkish rule, would claim that Kuwait was a part of Iraq. The Iraqi régime states that Kuwait was linked with the Turkish administration in Iraq, and it builds thereon the case for its ambition to

colonize Kuwait and enslave its people. Everyone knows that the entire Arab world was subject to Turkish rule, either directly, as was the case with Iraq itself, or in a moral fashion that did not involve direct rule, which was the situation that characterized the relationship between Kuwait and the Ottoman Empire. Iraq itself knows what would happen to it if it was to use the Turkish political maps as a basis for rearranging the situation in the Arab East. Would it be allocated the present subdivisions that go to make up modern Iraq? The relationship between Kuwait and the Ottoman Empire was, of course, not characterized by full equality, but Turkey did not appoint its own ruler to govern Kuwait, as it did for Iraq itself, and the contacts of the Amir of Kuwait with the Turks were made directly and did not pass through Iraq.

Nothing is more indicative of that than the fact that Kuwait, when it sensed harassment and a certain provocation on the part of the Ottoman Empire, made its own choice and signed the Treaty of 1899 with Great Britain. How then can the mouthpieces of the Iraqi régime intone that Kuwait was detached from Iraq following the First World War, which came to an end in 1918? If it were to be conceded that Iraq had a debatable case against Kuwait, why is it that Iraq has refused to respond to Kuwait's repeated calls over the past years for the claims of Iraq to be placed before the International Court of Justice? Why did Iraq reject Kuwait's proposal that an Arab commission should be formed to consider the matter of the boundaries between the two countries? If it is the case that Iraq was rejecting the boundaries with Kuwait because they were "colonialist" boundaries, then who was it who drew the boundaries between Iraq and its other neighbours? And can Iraq allow itself to accept the colonialist boundaries with one neighbour and then reject them with another? Does not Iraq itself recognize the boundary agreements concluded, including that on the same matter that it signed with Kuwait in 1923?

If the relationship between Iraq and Kuwait is similar to that between the trunk and the branch, as the Iraqi régime alleges, has anyone heard of a "trunk" maintaining full and uninterrupted diplomatic relations with its "branch"? How is it that Iraq, the trunk, has agreed to associate itself with Kuwait, which it now calls the branch, as an equal and often a pre-eminent member of all the international organizations? Will it surprise anyone when the Iraqi appetite for Jordan is stimulated if Iraq says that Jordan too is a part of Iraq because Turkish colonialism encompassed both of them at the same time and then that Jordan was, moreover, the other branch of the Hashemite union?

3. Iraq's departure from international law and its breach of values and covenants creates a situation that is shameful for Iraq and grievous for the Arabs as a whole, and it is natural that Iraq should bear its full consequences. Its recourse, moreover, to the method of "divide and rule", not only among the Arab States but within each Arab State, is a matter of the utmost gravity which requires the greatest degree of caution and scrutiny. Therein, the Iraqi régime employs methods of conspiracy, the mingling of issues, slogans, kindling the feelings of all Arabs against the Arabs, then of all Arabs against the world as if, in so doing, it is endeavouring to ignite a mighty conflagration, ceaseless and unending, above whose cloud of smoke it itself will rise, thinking that it will ultimately be safe from the furnaces and from the inferno.

4. The Kuwaitis are proud, not of the wealth that God has given them in their country, where they lived and which they loved before that wealth was ever evident, but that they have been sharing that wealth, from the very outset, with their Arab kin in particular and with the developing countries in general. They have made no exception in that respect for their neighbour Iraq, which would have been and which would continue to be more wealthy than Kuwait had it not been that, since its emergence as a State in the 1920s, it has been afflicted by a succession of régimes which have improperly squandered that wealth.

At a time when Kuwait was building and developing and disseminating beneficence and co-operation around about it and elsewhere, the régime of Iraq was fully absorbed in closing its grip on the necks of the Iraqi people, dissipating the wealth of their country and building an enormous machine of military aggression that almost devours the régime itself.

5. Everyone will remember how, in the so-called "Victory Address" delivered by Iraqi President Saddam Hussein following Iran's agreement to a cease-fire in 1988, Saddam singled out Kuwait for gratitude and praise. This offended the modesty of the Kuwaiti people, who believed that their sacrifices for the sake of Iraq were only the performance of a national duty for which they sought no gratitude. How can the mouthpieces of the aggressor régime of Iraq undo the statements that they previously made concerning the exemplary position adopted by the State of Kuwait ever since the beginning of their war with Iran? The enormous financial assistance provided by Kuwait to Iraq, Kuwait's payment of Iraqi oil obligations towards others throughout the period of the war, the ports made available by Kuwait that represented a lung through which Iraq might breathe throughout the years of its war against Iran, the prominent and effective role played by the Kuwait information media on behalf of Iraq and, above all else, the decisive political role played by Kuwait as it enjoyed a credibility and a standing in the international community that the régime of Iraq had never had, all of these are facts that the Iraqis know before all others, even if the Iraqi régime attempts to deny them as a pretext for its treachery against Kuwait.

6. When, during the so-called tanker war in the Arabian Gulf, Kuwait exercised its right to self-defence and called upon the States of the world, and in particular on the great Powers, to assume their legal and moral international responsibilities towards the freedom of navigation in the Gulf, and with the subsequent build-up of the foreign naval presence in the region, Iraq raised no objection. It regarded such action as prudent and politically wise and was of the view that such a course of action on the part of the State of Kuwait was legitimate, and the reflagging of Kuwaiti vessels was, in fact, the beginning of the end of the war and of Iraq's embroilment in it. Now, however, Iraq remonstrates against the presence of multinational forces in Saudi Arabia, although it knows full-well that those forces came only after its invasion of Kuwait and in order to defend Saudi Arabia lest its aggression against it should change from being imminent to being an established fact such as its despicable action against Kuwait.

7. We thus come to the duplicitous initiative recently announced by the Iraqi régime on the matter of "parallel withdrawals", revealing the extent of the

unbalance from which this Iraqi régime has begun to suffer in its stifling and increasing international isolation. Despite the coarse blackmail that characterizes this duplicitous initiative, it nevertheless struck home in equating the Iraqi occupation of Kuwait with the Israeli occupation of the occupied Arab territories. Here it may be asked: is it rational and logical, to say nothing of ethics and international law, that a large Arab State should occupy another, smaller, Arab State and barter with it as a hostage to Israel's removal from the occupied Arab territories? It is self-evident that Arab occupation of an Arab neighbour deprives the Arab call for Israel's departure from the occupied territories of the substance of its credibility. The Arabs have not suffered from Israeli occupation in a manner that has shaken the security of the region. Accordingly, the present sufferings of the Kuwaitis by reason of the total occupation of their peaceable country is in no way alleviated by its being an Iraqi occupation, but it is rather all the more painful since it comes from an Arab neighbour which has, regretfully, equated itself with Israel.

8. The entire world has witnessed, in pictures and through eyewitnesses of various nationalities, the practices engaged in by the Iraqi army of occupation, which are a disgrace to every Arab and every human being. The enormous army hurled into the field by the Iraqi régime in order to carry out what was, according to its claim, to be a limited political task turned into crazed bands of murderers, thieves and highwaymen. The sight of a regular army engaged in acts of plunder and looting of banks, vehicles, houses and shops owned by the inhabitants of Kuwait, both nationals and residents, is a disgraceful sight and an affront to the régime and to the Iraqi military, which has boasted about it at length. If the Iraqi régime has allowed itself to commit such acts against an innocent Kuwait which stood beside it, jeopardized its security for its sake and supplied it with the means that enabled it to stand fast, then what would happen to all the other Arabs if this régime was to take possession of them?

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed A. ABULHASAN
Permanent Representative

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Security Council

Distr.
GENERAL

S/21547
17 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 17 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF NEW ZEALAND TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

The Chargé d'affaires a.i. of the Permanent Mission of New Zealand to the United Nations presents her compliments to the Secretary-General of the United Nations and has the honour to refer to her note of 16 August in which she reported on the interim measures taken by the Government of New Zealand to give effect to the sanctions imposed on Iraq and Kuwait by the Security Council in its resolution 661 (1990).

The Chargé d'affaires is now able to advise that comprehensive regulations implementing the sanctions fully in New Zealand law have been promulgated. These regulations enter into force on 18 August and supersede the interim measures taken earlier.

The Chargé d'affaires would be grateful to have this information drawn to the attention of the first meeting of the Security Council Committee on the implementation of resolution 661 (1990).

Annex

The United Nations Sanctions (Iraq and Kuwait) Regulations 1990

PAUL REEVES

Governor-General

ORDER IN COUNCIL

At Wellington this 17th day of August 1990

Present:

His Excellency the Governor-General in Council

Pursuant to the United Nations Act 1946, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and for the purpose of giving effect to a resolution of the Security Council of the United Nations, adopted pursuant to the United Nations Charter on the 6th day of August 1990, calling upon the Government of New Zealand and all other Member States of the United Nations to apply in respect of Iraq and Kuwait the measures set out in that resolution, hereby makes the following regulations.

ANALYSIS

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2. Interpretation

Prohibited imports

3. Importation of goods from Iraq or Kuwait prohibited

4. Application of Customs Acts to prohibited imports

5. Detention of, and payment for, prohibited imports

Prohibited exports

6. Exportation of goods to Iraq or Kuwait prohibited

7. Application of Customs Acts to prohibited exports

8. Detention of prohibited exports

9. Loading of prohibited exports onto ships or aircraft prohibited

10. Power to withhold clearance of ship or aircraft

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11. Prohibited transactions in relation to exports from Iraq or Kuwait

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Prohibited transactions in relation to imports

13. Prohibited transactions in relation to imports into Iraq or Kuwait

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Prohibitions in relation to money, securities and assets

15. Prohibition in relation to transfer or delivery of money or securities

16. Prohibition on dealings in assets, money, or securities in New Zealand

Prohibition on carriage of goods

17. Prohibition on carriage of goods to or from Iraq or Kuwait

18. Liability of owner, charterer, master, or pilot in command

Miscellaneous provisions

19. Offences

20. Consent of Attorney-General to proceedings in certain cases

21. Customs Acts not affected

REGULATIONS

1. Title and commencement - (1) These regulations may be cited as the United Nations Sanctions (Iraq and Kuwait) Regulations 1990.

(2) These regulations shall come into force on the 18th day of August 1990.

2. Interpretation - (1) In these regulations, unless the context otherwise requires, -

"The Customs Acts", "Collector" and "Comptroller" have the same meaning as in the Customs Act 1966;

"Importer" has the same meaning as in the Customs Act 1966;

"Money" includes -

(a) The bank notes and other currency, postal notes, and money orders of New Zealand or any other country; and

(b) Promissory notes and bills of exchange; and

(c) Any credit in an account with any person, whether that account is held in New Zealand or outside New Zealand;

"New Zealand" includes Tokelau;

"New Zealand aircraft" means any aircraft that is registered or required to be registered in New Zealand under the Civil Aviation Act 1964;

"New Zealand ship" means a ship registered in New Zealand, or recognized by the law of New Zealand as a ship belonging to New Zealand;

"Securities" -

(a) Includes shares, stock, bonds, debentures, debenture stock, mortgages, liens, treasury bills, coupons or warrants representing dividends or interest, and life or endowment insurance policies, in whatever currency the securities are expressed and whether they are situated in New Zealand or elsewhere; and

(b) Also includes any document or means whereby the right to the ownership or provision of any money or security, or any interest therein, may be exercised; but

(c) Does not include promissory notes or bills of exchange.

(2) Any reference in these regulations to the transfer of any security includes a reference to a transfer of the security by way of loan, mortgage, pledge, or bailment, whether in respect of a legal or an equitable interest.

Prohibited imports

3. Importation of goods from Iraq or Kuwait prohibited - (1) The importation into New Zealand of any goods being the produce or manufacture of Iraq or Kuwait is hereby prohibited.

(2) Subclause (1) of this regulation shall not apply with respect to any goods, in respect of which the Minister of Customs is satisfied that they had been exported from Iraq or Kuwait on or before the 6th day of August 1990.

4. Application of Customs Acts to prohibited imports - All the provisions of the Customs Acts with respect to prohibited imports (except the provisions as to monetary penalties in section 48 (10) of the Customs Act 1966) shall extend and apply with respect to goods whose importation is prohibited by regulation 3 of these regulations, in all respects as if the importation of the goods were prohibited under section 48 of the Customs Act 1966.

5. Detention of, and payment for, prohibited imports - (1) If a Collector has reason to suspect that any goods imported into New Zealand are goods whose importation is prohibited by regulation 3 of these regulations, he or she may detain the goods.

(2) The importer of any such goods for which payment has not been made shall pay the purchase price of the goods into a Trust Bank Account operated under Part VII of the Public Finance Act 1989 by the Customs Department.

(3) Where any such goods have been imported into New Zealand before the commencement of these regulations, and payment for the goods has not been made or has not been fully made, all money payable by the importer in respect of the goods shall be paid into the account referred to in subclause (2) of this regulation, and not otherwise.

(4) All money in the said account shall be dealt with in such manner as the Minister of Finance may direct.

(5) Money paid into the said account shall not be money deposited for the purposes of section 284 of the Customs Act 1966.

(6) If any dispute arises as to the purchase price of any such goods imported into New Zealand or as to the date of payment thereof, the Comptroller may determine the matter, and the decision of the Comptroller shall be final.

Prohibited exports

6. Exportation of goods to Iraq or Kuwait prohibited - Except with the consent of the Minister of External Relations and Trade, the exportation from New Zealand to Iraq or Kuwait, whether directly or indirectly, of any goods is hereby prohibited.

7. Application of Customs Acts to prohibited exports - All the provisions of the Customs Acts with respect to prohibited exports (except subsection (6A) of section 70 of the Customs Act 1966) shall extend and apply with respect to goods whose exportation is prohibited by regulation 6 of these regulations, in all respects as if the exportation of the goods were prohibited under section 70 of the Customs Act 1966.

8. Detention of prohibited exports - If a Collector has reason to suspect that any goods being exported are goods whose exportation is prohibited by regulation 6 of these regulations, that Collector may detain the goods.

9. Loading of prohibited exports onto ships or aircraft prohibited - The master of a ship or the pilot in command of an aircraft shall not permit to be laden in the ship or aircraft any goods whose exportation is prohibited by regulation 6 of these regulations, knowing that the goods are intended to be exported in contravention of that regulation.

10. Power to withhold clearance of ship or aircraft - A Collector may withhold the clearance of any ship or aircraft so long as there are on board the ship or aircraft any goods known to that Collector to be goods whose exportation is prohibited by regulation 6 of these regulations.

Prohibited transactions in relation to exports

11. Prohibited transactions in relation to exports from Iraq or Kuwait - (1) No person shall in New Zealand, and no New Zealand citizen shall in any place outside New Zealand, enter into or be concerned in any sale, transfer, carriage, or delivery of or other dealing with any goods, knowing that they are being or have been or are intended to be exported from Iraq or Kuwait.

(2) Notwithstanding anything in subclause (1) of this regulation, it shall, in any prosecution for an offence against that subclause, be a defence to prove that the goods were exported from Iraq or Kuwait on or before the 6th day of August 1990.

12. Prohibition on promotion of exportation or trans-shipment of goods from Iraq or Kuwait - No person shall in New Zealand, and no New Zealand citizen shall in any place outside New Zealand, do any act knowing that it promotes or is calculated to promote the exportation from Iraq or Kuwait of any goods or the trans-shipment of any goods exported from Iraq or Kuwait.

Prohibited transactions in relation to imports

13. Prohibited transactions in relation to imports into Iraq or Kuwait - Except with the consent of the Minister of External Relations and Trade, no person shall in New Zealand, and no New Zealand citizen shall in any place outside New Zealand, enter into or be concerned in any sale, transfer, carriage, or delivery of or other dealing with any goods, knowing that -

(a) They are intended to be imported into Iraq or Kuwait; or

(b) They are to be supplied or delivered to or to the order of any person in Iraq or Kuwait; or

(c) They will be used for the purposes of any business carried on in or operated from Iraq or Kuwait.

14. Prohibition on promotion of importation of goods into Iraq or Kuwait - Except with the consent of the Minister of External Relations and Trade, no person shall do any act knowing that it promotes or is calculated to promote the importation into Iraq or Kuwait of any goods.

Prohibitions in relation to money, securities and assets

15. Prohibition in relation to transfer or delivery of money or securities - (1) Except with the consent of the Minister of Finance, no person shall in New Zealand, and no New Zealand citizen shall in any place outside New Zealand, send, transfer, or deliver, or cause to be sent, transferred, or delivered, whether directly or indirectly, any money or securities -

(a) To the Government of Iraq; or

(b) To the benefit of the Government of Iraq; or

(c) To any commercial undertaking, industrial undertaking, or public utility undertaking in Iraq or Kuwait; or

(d) To the benefit of any commercial undertaking, industrial undertaking, or public utility undertaking in Iraq or Kuwait; or

(e) To any person in Iraq or Kuwait; or

(f) To the benefit of any person in Iraq or Kuwait; or

(g) To the benefit of any business carried on in or operated from Iraq or Kuwait.

16. Prohibition on dealings in assets, money, or securities in New Zealand - Except with the consent of the Minister of Finance, no person shall knowingly transfer, pay for, sell, assign, dispose of, or otherwise deal with any assets, money, or securities held in New Zealand -

(a) By the Government of Iraq or the Government of Kuwait; or

(b) By any agencies or bodies controlled by the Government of Iraq or the Government of Kuwait.

Prohibition on carriage of goods

17. Prohibition on carriage of goods to or from Iraq or Kuwait - (1) This regulation applies to -

(a) Any New Zealand ship;

(b) Any New Zealand aircraft;

(c) Any other ship or aircraft that is, for the time being, chartered to any person, being a New Zealand citizen or a body incorporated or constituted under the law of New Zealand.

(2) Without prejudice to the generality of the foregoing provisions of these regulations, no ship or aircraft to which this regulation applies shall be used for the carriage of any goods -

(a) If the goods are being or have been exported from Iraq or Kuwait; or

(b) If the carriage is, or forms part of, carriage from any place outside Iraq or Kuwait to any destination in Iraq or Kuwait or to any person for the purposes of any business carried on in or operated from Iraq or Kuwait.

(3) Nothing in subclause (2) (a) of this regulation shall apply in any case where it is proved that the goods were exported from Iraq or Kuwait on or before the 6th day of August 1990.

(4) Nothing in this regulation shall apply to any carriage of goods in respect of which the consent of the Minister of External Relations and Trade has been given under any other provision of these regulations.

18. Liability of owner, charterer, master or pilot in command - (1) If any ship or aircraft is used in contravention of regulation 17 (2) (a) of these regulations, then, -

(a) In the case of a New Zealand ship or aircraft, the owner and the master of the ship or, as the case may be, the owner and the pilot in command of the aircraft; or

(b) In the case of any other ship or aircraft, the charterer of the ship or aircraft and, if the master of the ship or pilot in command of the aircraft is a New Zealand citizen, such master or pilot in command -

shall each be guilty of an offence against these regulations, unless he or she proves that he or she did not know and had no reason to suppose that the goods were being or had been exported from Iraq or Kuwait.

(2) If any ship or aircraft is used in contravention of regulation 17 (2) (b) of these regulations, then, -

(a) In the case of a New Zealand ship or aircraft, the owner and the master of the ship or, as the case may be, the owner and the pilot in command of the aircraft; or

(b) In the case of any other ship or aircraft, the charterer of the ship or aircraft and, if the master of the ship or pilot in command of the aircraft is a New Zealand citizen, such master or pilot in command -

shall each be guilty of an offence against these regulations, unless he or she proves that he or she did not know and had no reason to suppose that the carriage of goods was, or formed part of, carriage from any place outside Iraq or Kuwait to any destination therein or to any person for the purposes of any business carried on in or operated from Iraq or Kuwait.

(3) In this regulation, the terms "owner" and "charterer", in relation to a ship, include any person acting as the agent of the owner or, as the case may be, the agent of the charterer.

Miscellaneous provisions

19. Offences - Every person commits an offence against these regulations and shall be liable accordingly under section 3 of the United Nations Act 1946, who acts in contravention of or fails to comply in any respect with any of the provisions of these regulations.

20. Consent of Attorney-General to proceedings in certain cases - Proceedings for the trial and punishment of any person who is charged with having committed outside New Zealand any offence against these regulations shall not be instituted in any Court except with the consent of the Attorney-General and on his or her certificate that it is expedient that the proceedings be instituted.

21. Customs Acts not affected - Nothing in these regulations shall limit or affect the operation of the Customs Acts.

Clerk of the Executive Council

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 18 August 1990, are for the purpose of giving effect to the resolution of the Security Council of the United Nations, adopted on 6 August 1990.

These regulations prohibit the importation into New Zealand from Iraq or Kuwait and the exportation from New Zealand to Iraq or Kuwait of all goods.

They also prohibit certain related dealings and transactions, and the carriage of goods in New Zealand ships or New Zealand aircraft.

UNITED
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Security Council

Distr.
GENERAL

S/21548
17 August 1990
ENGLISH
ORIGINAL: ARABIC/ENGLISH

LETTER DATED 16 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Further to our correspondence concerning the savage practices of the Iraqi occupation forces in our dear country of Kuwait, and as news of the offensive crimes carried out in the pure land of Kuwait fills the Arab and foreign media, I transmit herewith some recent reports from the United States press concerning the inhumane activities of the occupation forces against Kuwaiti citizens and foreign residents. The reports also cover the massive destruction caused by the invading forces to the country's property and infrastructure, their looting of public and private assets, assaults on citizens' wives, acts of terrorization and undermining of the economic, social and security situation with a view to destroying its basic foundations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

Annex I

"Escape from Kuwait the move of a lifetime for coach, wife
(Washington Post, 14 August 1990 - by Dave Sheinin)

"That night with all the lights in the house off, Calvin peered out the window, and saw more horror. Five cars trying to leave the city in a period of 20 minutes were stopped by Iraqi soldiers. 'I could hear machine gun fire, and then no one would get out of the car.'

"'All hell broke loose', said Calvin. 'We started worrying that we would be another casualty of war. We didn't want to be killed, but we realized it could happen. We saw soldiers going into peoples' homes and stealing and raping the women, American women, German women.'"

Annex II

"Iraqis are reported to send home $3 billion taken from Kuwaitis
(New York Times, 14 August 1990 - by Yussef M. Ibrahim)

"Manama, Bahrain, Aug. 13 - Iraq has transferred between $3 billion and $4 billion in gold bullion, foreign currencies and goods seized from Kuwaiti financial and commercial institutions to Baghdad, Arab bankers in London and the Persian gulf region said today.

"The move considerably increased Iraq's financial reserves. While Iraq has never revealed the size of its reserves of gold and hard currencies, British and Arab bankers say they stood at an estimated $6.5 billion before the invasion of Kuwait 11 days ago.

"Arab officials said the Iraqi invasion has also resulted in the seizure of large amounts of civilian and military airplanes, fleets of new cars, machinery, foodstocks and other goods.

"The toll of the invasion on the human level has been awesome. In addition to some 700 Kuwaitis killed so far, at least 20 members of the Sabah ruling family of Kuwait were taken hostage by Iraq and dozens of senior Kuwaiti executives who have been taken away from banks. Kuwaiti commercial institutions and companies as prisoners.

"Bankers interviewed in this area and in London said today that in their estimate the Kuwaiti central bank, which was seized and looted by Iraqi troops on the first day of the invasion, August 2, held 2.5 million ounces of gold at the time, valued today at $1 billion. The bank also had Kuwaiti dinars estimated at a year's supply, or the equivalent of $350 million, as well as several hundred millions of dollars worth of hard currencies including American dollars, Swiss and French francs and pounds sterling.

"'We are talking about gold, cash, cars, airplanes, tankers and a lot of military hardware which fell intact into the hands of the Iraqis on the first days of the invasion', said a bank chairman who asked not to be identified."

Annex III

"Fleeing Kuwait: an American tells of four hours of terror
(The New York Times, 16 August 1990 - by Keith Bradsher)

"The Iraqi Army has closed border crossings on Kuwait roads leading into Saudi Arabia, but a few foreigners continue to escape across the desert while others have fled across Iraq to Jordan.

"They tell stories of growing lawlessness and hardship in Kuwait.

"Iraqi soldiers have looted stores, attacked foreign women and vandalized buildings, fleeing foreigners and Kuwaitis say. Foreign residents are short of cash because the banks are closed and food is running low.

"The passage of Iraqi tanks has left streets cracked and broken and many stolen Mercedes-Benz cars and other expensive vehicles sit on the highways, out of gas or damaged in crashes.

"A Kuwaiti businessman who fled to Saudi Arabia on August 6 said he had watched the day before as several Iraqi Army trucks filled with soldiers stopped in front of a large supermarket. The soldiers smashed the glass and began clearing the shelves, said the Kuwaiti, who insisted on anonymity.

"Car dealerships and good shops in Kuwait were looted within two days of the invasion, he said. Warehouses have been raided, including some of those containing Kuwait's four-month emergency supply of canned goods and other warehouses holding foreign aid for African and other Arab countries, he said.

"For Ms. Baker and Mr. Spitzer, a 10-day period of near constant terror in occupied Kuwait began with the sounds of gunfire and exploding bombs at 5:30 a.m. on August 2. 'It sounded like popguns, and then we heard bombs', Ms. Baker recalled.

"She and Mr. Spitzer ran to the roof and watched as tanks and troops moved into the city. Ms. Baker said at least two jets were overhead firing rockets at Government buildings. One rocket exploded several hundred yards away in the largely residential area.

"'Windows in the house broke or were thrown open by the blast. The glass shattered and was falling on the floor', Mr. Spitzer said.

"View of battles from roof

"Active fighting continued for the next two days. Ms. Baker said she watched from her roof as Kuwaiti soldiers initially repelled Iraqi military infantry attacks on one large Government building, but were defeated when Iraqi armored vehicles arrived. 'The Kuwaitis were able to keep them off for a while, but then they lined up tanks and started shooting', she said.

"One of the worst problems for foreign residents in Kuwait was lack of money, Ms. Baker and Mr. Spitzer said. Most foreigners used automatic teller machines to withdraw money in small amounts on a regular basis before the fighting began, and were stuck without cash when the fighting began and all banks and teller machines were closed, Ms. Baker said.

"A small group of foreigners in Ms. Baker's neighborhood pooled their funds and gave them to an Iranian friend, who bought food from stores that had not been looted. 'We always had either potatoes or rice or pasta', she said, adding that they ate only once a day to conserve food and their limited amount of cash.

"Mr. Spitzer said he had met a Canadian in his 60s who had worked for eight years in Kuwait and saved most of his earnings in a Kuwaiti bank to provide for his retirement. 'He said, you know, my life is ruined, that was my pension', Mr. Spitzer said, 'He saved every penny, and ding-dong, the bank was closed.'

"A friend of Mr. Spitzer put his bank card into a teller machine after the machines were reopened, and the machine told him his account no longer had any money in it, Mr. Spitzer said.

"Both electrical power and running water were still available in Kuwait on Sunday, but foreign residents were concerned about how long this would continue because almost nobody was reporting for work at water and power stations, Ms. Baker said. Kuwaiti and foreign workers have defied an order by Iraqi authorities to return to work, she said, adding, 'Nobody's doing the work that has to be done.'"

Annex IV

Excerpts from a Washington Post correspondent in Kuwait city, published on 15 August 1990

"In recent days, Iraqi troops have been taking a more aggressive response to demonstrations by women - firing into the air and then at the women. Various sources have reported several injuries during these demonstrations. One Kuwaiti source said four persons, including a 16-year-old girl, died of injuries received during a demonstration in Jabiriya on August 8, but this couldn't be confirmed.

"...

"Selected Westerners were picked up by Iraqi forces as a deliberate policy - 35 British military advisers taken from their compound, for example, and Americans taken from oil facilities and hotels.

"...

"A western source said: 'It's clear we're faced with a hostage situation bigger than any previous one.'

"...

"One Filipino said Iraqi soldiers came into the house where he lived with other Filipinos, stole their money and raped two of the women.

"...

"I did interview one woman who said she was ordered to undress by an Iraqi, but was saved when a friend came into the room.

"...

"One Egyptian working here said: 'Now everyone is afraid to speak and I hate that.'"

UNITED
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Security Council

Distr.
GENERAL

S/21549
17 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 17 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF ICELAND TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

The Acting Permanent Representative of Iceland to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the latter's note SCPC/7/90(1) dated 8 August 1990, has the honour to enclose herewith an English translation of announcement No. 49 of 9 August 1990 on measures to implement resolution 661 (1990) of the United Nations Security Council on the Iraqi invasion of Kuwait.

Annex

Announcement No. 49 of 9 August 1990 on measures to implement resolution 661 (1990) of the United Nations Security Council on the Iraqi invasion of Kuwait

In accordance with article 3 of Law No. 5/1969 on the Implementation of Decisions of the United Nations Security Council the Government has decided to apply the Law in order to implement resolution 661 (1990) of the United Nations Security Council adopted on 6 August 1990 on account of the Iraqi invasion of Kuwait, and issues herewith the following orders:

1. The import into Iceland of all goods originating in Iraq or Kuwait exported therefrom after 6 August 1990 is prohibited.

2. Any activities by Icelandic nationals or in Iceland which are calculated to promote the export or transshipment of any goods from Iraq or Kuwait are prohibited. Furthermore, any dealings by Icelandic nationals or in Iceland in any goods originating in Iraq or Kuwait and exported therefrom after 6 August 1990 are prohibited, as well as the use of Icelandic ships in such dealings.

3. The sale or supply by Icelandic nationals of any goods to any party in Iraq or Kuwait and the sale or supply of any goods for the purposes of any business carried on in or operated from Iraq or Kuwait are prohibited. Furthermore, it is prohibited to sell or supply such goods from Iceland or use for such purpose Icelandic ships. Activities by Icelandic nationals or in Iceland which are calculated to promote such sale or supply are also prohibited.

4. Icelandic nationals and any party in Iceland are prohibited from making funds or any other financial or economic resources available to the Government of Iraq or to any undertaking in Iraq or Kuwait and from remitting any funds to any other party within Iraq or Kuwait.

5. Medical supplies and foodstuffs used for humanitarian purposes are exempt from the provisions of paragraph 3. Furthermore, payments for medical purposes, payments for humanitarian purposes and foodstuffs used for humanitarian purposes are exempt from the provisions of paragraph 4.

Any person who violates the orders set out above shall be subject to the penalties under article 2 of Law No. 5/1969, unless heavier penalties apply under other Laws.

This Announcement shall enter into force immediately.

Ministry for Foreign Affairs
9 August 1990

UNITED
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General Assembly Security Council

Distr.
GENERAL

A/45/423
S/21550
17 August 1990
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the provisional agenda*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 14 August 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Bolivia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the communiqué issued by the Ministry of Foreign Affairs and Worship of Bolivia on 15 August 1990 at La Paz concerning the conflict between Iraq and Kuwait:

> On 2 August 1990, the Government of Bolivia, by means of an official communiqué, publicly expressed its deep concern at the unfortunate events in the Persian Gulf and its strong condemnation of the occupation of Kuwait by Iraqi military forces. This statement simply reflects the feelings of the Government and people of Bolivia and their complete respect for the norms of international law which are based on the principles of rejection of the use of armed force for purposes of conquest and non-recognition of territorial occupation and annexation.
>
> Given the persistence of Iraq's posture and that country's statement regarding its complete and permanent merger with Kuwait, which is a flagrant violation of the Charter of the United Nations, the Government of Bolivia expresses its total support for Security Council resolutions 660 (1990), 661 (1990) and 662 (1990); accordingly, it will adopt the measures required for their strict implementation, calling for the immediate withdrawal of the invading army and the restoration of the sovereignty, independence and territorial integrity of Kuwait.

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* A/45/150 and Corr.1.

I should be grateful if you would have this text circulated as an official document of the General Assembly, under item 35 of the provisional agenda, and of the Security Council.

(Signed) Natalio FERNANDEZ
Alternate Ambassador
Chargé d'affaires a.i.

UNITED
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Security Council

Distr.
GENERAL

S/21551
17 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 16 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Italy to the United Nations presents his compliments to the Secretary-General of the United Nations and, in reply to his note SCPC/7/90 (1), has the honour to transmit, as annex I to this letter, the unofficial translation of the text of the decrees issued on 3 and 5 August 1990 and of the communiqué issued on 7 August 1990 concerning the measures taken to date by Italy at the national level to implement Security Council resolution 661 (1990). Moreover, the Permanent Mission of Italy transmits, as annex II, an account of the measures taken by Italy in its capacity as a State member of the European Community to implement the aforementioned resolution 661 (1990).

The Permanent Mission of Italy would be grateful if you could transmit the text of the present letter and its annexes to the Committee established in accordance with paragraph 6 of Security Council resolution 661 (1990).

(Signed) Vieri TRAXLER
Ambassador
Permanent Representative of Italy
to the United Nations

Annex I

Measures taken at the national level

A. Embargo on the sale of weapons and military equipment to Iraq and Kuwait

Telex No. 65038 of 7 August 1990 sent from the Ministry of Foreign Trade to: Ministry of Finance; and copies sent to: Office of the Prime Minister; Ministry of Foreign Affairs; Ministry of Defence; Ministry of the Interior; Ministry of Treasury; Ministry of Industry; Ministry of Finance, Customs Department:

> "Following the decisions of the Cabinet of 3 and 5 August, and recalling resolutions 660 and 661 of the Security Council of the United Nations as well as the 4 August decisions of the EEC Political Committee, we confirm that with reference to Iraq and Kuwait [there] is in force the prohibition stated in Article 1, Subsection 6, of the 9 July 1990 Law, pertinent to export and transit of armament materials, as stated in Art. 1 and 2 of the aforementioned law. Therefore all authorizations for the exportation of such materials to the aforementioned countries shall be suspended."

B. Decree to insure the safety of the Kuwaiti assets in Italy (Rome, 3 August 1990)

THE PRESIDENT OF THE REPUBLIC

GIVEN article 77 of the Constitution;

GIVEN the grave situation established in Kuwait following the occupation of this State by armed foreign forces;

CONSIDERED the extraordinary need and the urgency to provide measures aiming to forbid transfers and actions that have as object the State of Kuwait;

GIVEN the deliberation of the Cabinet adopted at the 3 August 1990 meeting;

UPON the proposal of the President of the Cabinet and of the Minister of Foreign Affairs;

ISSUES THE FOLLOWING DECREE

Article 1

1. The acts of disposition and the transactions, made in whichever way, concerning personal property even intangible, real property, firms or other total number of goods, assets or titles of a financial or monetary nature in whatever way they may be denominated, when the above-mentioned property, assets or titles

pertain, even through intermediaries, to the State of Kuwait or any agency, institution or organization shared, controlled or directed by the State itself, shall be prohibited.

Article 2

1. The actions executed in violation of the prohibition stated in article 1 shall be null and void.

Article 3

1. The subjects who, even indirectly, take part in the actions prohibited in the above-mentioned article 1 shall be publicly liable for the damages resulting from the performance of null and void actions. Furthermore [there] shall be enforced upon the aforementioned subjects the administrative sanction, consisting in the payment of a quantity of money not less than half the value of the operation and not more than the value itself.

2. For the verification of the violations of the prohibition stated in article 1 and for the infliction of the pertinent sanctions [there] shall be in force the provisions of Title II, Articles I and II, of the single text of the law concerning monetary questions, approved by Presidential decree, No. 148, of 31 March 1988.

Article 4

1. Repeals of the prohibition as stated in Article 1 may be provided by decree of the President of the Cabinet, upon proposal by the Minister of Foreign Affairs, and upon having been heard by the Ministers of Treasury and Foreign Trade.

Article 5

1. This decree comes into force on the same day of its publication in the Gazzetta Ufficiale of the Italian Republic and shall be presented to Parliament for its conversion to law.

This decree, sealed with the State seal, shall be inserted in the official Recopilation of the normative acts of the Italian Republic. It is the duty of any concerned party to comply with this decree and to have its compliance enforced.

C. Decree concerning the freezing of Iraqi assets in Italy (Rome, 5 August 1990)

THE PRESIDENT OF THE REPUBLIC

GIVEN article 77 of the Constitution;

GIVEN the declaration on the invasion of Kuwait by Iraq issued on 4 August 1990 by the European Community and by its member States;

GIVEN the decisions contained in the above-mentioned declaration, among which there is the adoption of appropriate measures for the freezing of Iraqi assets in the territory of States members of the EC;

GIVEN the continued occupation of Kuwait by Iraq;

CONSIDERED the extraordinary need and the urgency for the Italians to execute the decision of the European Community;

GIVEN the deliberation of the Cabinet adopted at the 5 August meeting;

UPON proposal by the President of the Cabinet and of the Minister of Foreign Affairs;

ISSUES THE FOLLOWING DECREE

Article 1

1. The acts of disposition and the transactions, made in whichever way, concerning personal property even intangible, real property, firms or other total number of goods, assets or titles of a financial or monetary nature in whatever way they may be denominated, when the above-mentioned property, assets or titles pertain, even through intermediaries, to the State of Kuwait or any agency, institution or organization shared, controlled or directed by the State itself, shall be prohibited.

Article 2

1. The actions executed in violation of the prohibition stated in article 1 shall be null and void.

Article 3

1. The subjects who, even indirectly, take part in the actions prohibited in the above-mentioned article 1 shall be publicly liable for the damages resulting from the performance of null and void actions. Furthermore, [there] shall be enforced upon the aforementioned subjects the administrative sanction, consisting in the

payment of a quantity of money not less than half the value of the operation and not more than the value itself.

2. For the verification of the violations of the prohibition stated in article 1 and for the infliction of the pertinent sanctions [there] shall be in force the provisions of Title II, Articles I and II, of the single text of the law concerning monetary questions, approved by Presidential decree, No. 148, of 31 March 1988.

Article 4

1. Repeals of the prohibition as stated in Article 1 may be provided by decree of the President of the Cabinet, upon proposal by the Minister of Foreign Affairs, and upon having been heard by the Ministers of Treasury and Foreign Trade.

Article 5

1. This decree comes into force on the same day of its publication in the Gazzetta Ufficiale of the Italian Republic and shall be presented to Parliament for its conversion to law.

This decree, sealed with the State seal, shall be inserted in the official Recopilation of the normative acts of the Italian Republic. It is the duty of any concerned party to comply with this decree and to have its compliance enforced.

Annex II

In addition to the measures taken by Italy at the national level, Italy has implemented European Economic Community (EEC) regulation No. 2340/90 of 8 August 1990, which prohibits trade involving Iraq and Kuwait.

This regulation contains a provision which:

1. Prohibits the import of any product originating in Iraq or Kuwait and the export of products to those countries;

2. Prohibits any commercial activity or transaction, including any operation pertaining to completed or partially completed transactions, which aims at or results in the promotion of the import of any product originating in or coming from Iraq or Kuwait;

3. Prohibits the sale or supply of any product, regardless of its origin or provenance, to persons or legal entities in Iraq or Kuwait or to any other person or legal entity for the purpose of any commercial activity carried out within or from Iraqi or Kuwaiti territory;

4. Prohibits, lastly, any activity which aims at or results in the promotion of the aforementioned sale or supply.

5. By virtue of a decision of the States members of the European Coal and Steel Community (ECSC) (decision 90/414/ECSC of 8 August 1990), trade with Iraq and Kuwait in the products covered by the ECSC Treaty is prohibited in terms similar to those set out in the aforementioned EEC regulation.

Exception to the above is made:

- In respect of exports, for medicines and foodstuffs intended for humanitarian purposes as part of emergency assistance operations;

- In respect of imports, for those products originating in or coming from Iraq or Kuwait which were exported by those countries prior to 7 August 1990.